

## Message Text

CONFIDENTIAL

PAGE 01 STATE 097549 TOSEC 040069  
ORIGIN NODS-00

INFO OCT-01 ISO-00 /001 R

DRAFTED BY ARA:JBUSHNELL:MMS  
APPROVED BY THE ACTING SECRETARY  
P - DNEWSOME (DRAFT)  
S/S-O RCASTRODALE  
S/S PTARNOFF

-----040097 152322Z /73

O 152256Z APR 78 ZFF6  
FM SECSTATE WASHDC  
TO AMEMBASSY SAN JOSE NIACT IMMEDIATE  
AMEMBASSY BOGOTA NIACT IMMEDIATE  
AMEMBASSY CARACAS NIACT IMMEDIATE  
INFO USDEL SECRETARY IMMEDIATE

C O N F I D E N T I A L STATE 097549 TOSEC 040069

EXDIS DISTRIBUTE AS NODIS

E.O. 11652: GDS

TAGS: PINT, PEPR, PORG, CS, CO, VE

SUBJECT: PANAMA TREATIES

FOR AMBASSADOR FROM THE ACTING SECRETARY

1. AS WE COME TO THE TUESDAY CRUNCH ON THE TREATIES, WE URGENTLY NEED YOUR HELP AND THAT OF YOUR CHIEF OF STATE.
2. SENATE LEADERSHIP HAS DRAFTED STRONG NON-INTERVENTION RESERVATION TO BE ADDED TO SECOND TREATY BUT TO APPLY ALSO TO FIRST TREATY IN MAJOR ATTEMPT OVERCOME PANAMANIAN AND OTHER OPPOSITION TO DECONCINI AMENDMENT. IN SOME RESPECTS PROPOSED LANGUAGE IS STRONGER THAN NON-INTERVEN-  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 097549 TOSEC 040069

TION LANGUAGE AGREED LAST OCTOBER AND INCORPORATED IN FIRST TREATY AS LEADERSHIP AMENDMENT. NEVERTHELESS, THE INITIAL PANAMANIAN REACTION TO NEW RESERVATION IS NEGATIVE. THE NEW LEADERSHIP DRAFT REFLECTS VIEWS OF SOME KEY TREATY PROPONENTS NOT INVOLVED IN EARLIER DISCUSSIONS AND IT HAS BECOME IMPORTANT TO MAKE KEY POINTS IN SOMEWHAT DIFFERENT

WAY. THUS WE NEED TO DO WHATEVER WE CAN TO GET TORRIJOS TO LOOK AT PROPOSED WORDING WITH AN OPEN MIND AND HOPE-

FULLY TO SEE THAT IT ACCOMPLISHES HIS PURPOSES. GIVEN TIMING AND NUMBER OF SENATORS INVOLVED IN DRAFTING, THERE IS VIRTUALLY NO FLEXIBILITY TO CHANGE TEXT OF NEW CLAUSE.

3. USING DISCRETION PLEASE TRY TO CONTACT CHIEF OF STATE AS SOON AS POSSIBLE TO PROVIDE PROPOSED TEXT OF NON-INTERVENTION CLAUSE. ON BASIS TALKING POINTS BELOW AND WHATEVER OTHER ARGUMENTS YOU CAN MUSTER IN LOCAL SITUATION, URGE HIM TO PHONE GENERAL TORRIJOS AND URGE HIM CONSIDER THIS TEXT CAREFULLY AND FAVORABLY, EMPHASIZING SOME OF GOOD POINTS FOR PANAMA. AS LEADERSHIP NEEDS TO BEGIN MOVING ON THIS MONDAY MORNING, IT IS IMPORTANT TO HAVE EARLIEST POSITIVE PANAMANIAN REACTION BY SUNDAY EVENING, IF AT ALL POSSIBLE. AS YOU KNOW, THE FINAL VOTE ON THE TREATY IS 1800 TUESDAY AND A GREAT DEAL RIDES ON THIS FOR OUR COUNTRY AND FOR THE ENTIRE HEMISPHERE.

4. TEXT OF LEADERSHIP RESERVATION FOLLOWS. QUOTE:  
PURSUANT TO ITS ADHERENCE TO THE PRINCIPLE OF NON-INTERVENTION, ANY ACTION TAKEN BY THE UNITED STATES OF AMERICA IN THE EXERCISE OF ITS RIGHTS TO ASSURE THAT THE PANAMA CANAL SHALL REMAIN OPEN, NEUTRAL, AND SECURE,  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 097549 TOSEC 040069

PURSUANT TO THE PROVISIONS OF THIS TREATY AND THE NEUTRALITY TREATY AND THE RESOLUTIONS OF RATIFICATION THERETO, SHALL BE ONLY FOR THE PURPOSE OF ASSURING THAT THE CANAL SHALL REMAIN OPEN, SECURE, AND ACCESSIBLE TO THE SHIPS OF ALL NATIONS, AND SHALL NOT HAVE AS ITS PURPOSE INTERFERENCE IN THE INTERNAL AFFAIRS OF THE REPUBLIC OF PANAMA, OR INFRINGEMENT OF ITS INDEPENDENCE OR ITS SOVEREIGNTY. END QUOTE.

5. FOLLOWING ARE AMONG POINTS TO STRESS ON THIS TEXT. FIRST, OPENING IS STRONG AFFIRMATION PRINCIPLE OF NON-INTERVENTION. SECOND THIS LANGUAGE SPANS BOTH TREATIES AND ALL RESERVATIONS, CONDITIONS, AND UNDERSTANDINGS. THIRD, TEXT LIMITS US ACTION IN TERMS AFFIRMATIVE PURPOSES ONLY, THAT IS ONLY FOR PURPOSE OF ASSURING THAT THE CANAL REMAINS OPEN, SECURE AND ACCESSIBLE. FOURTH, TEXT DENIES EXPLICITLY PURPOSE OF INFRINGEMENT OF SOVEREIGNTY AS WELL AS INDEPENDENCE. PART OF PANAMANIAN CONCERN SEEMS TO BE OMISSION OF REFERENCE TO TERRITORIAL INTEGRITY BUT WOULD SEEM TO US HERE THAT STRONG ARGUMENT COULD BE MADE IN LATIN CONTEXT THAT SOVEREIGNTY IS STRONGER AND MORE EMBRACING CONCEPT.

6. I RECOGNIZE DIFFICULTY GETTING TO YOUR HEAD OF STATE  
OVER WEEKEND ON SUCH SHORT NOTICE. HOWEVER, WE DOUBT  
ANY OTHER PERSONS COULD REACH TORRIJOS AS EFFECTIVELY.

YOU MAY WORK WITH OTHERS TO GET THIS ISSUE BEFORE YOUR  
HEAD OF STATE AS YOU DEEM APPROPRIATE.

7. AS YOU KNOW, THE PRESIDENT IS DEEPLY AND PERSONALLY  
INVOLVED IN THIS ALL OUT EFFORT AND WILL GREATLY  
APPRECIATE ANY ASSISTANCE YOUR CHIEF OF STATE CAN GIVE  
ALONG THE FOREGOING LINES.

8. PLEASE KEEP US INFORMED NIACT IMMEDIATE.  
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 097549 TOSEC 040069

CHRISTOPHER

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 STATE 097549  
ORIGIN NODS-00

INFO OCT-01 ISO-00 /001 R

66011

DRAFTED BY S/S-O:JTHYDEN:CFO

APPROVED BY S/S-O:JTHYDEN

-----042905 162343Z /73

O 162345Z APR 78 ZFF4

FM SECSTATE WASHDC

TO AMEMBASSY PANAMA NIACT IMMEDIATE

C O N F I D E N T I A L STATE 097549

NODIS

FOL RPT STATE 097549 TOSEC 040069 SENT ACTION SAN JOSE,  
BOGOTA & CARACAS INFO USDEL SECRETARY DTD 15 APR 78

QUOTE: O N F I D E N T I A L STATE 097549  
TOSEC 040069

EXDIS DISTRIBUTE AS NODIS

E.O. 11652: GDS

TAGS: PINT, PEPR, PORG, CS, CO, VE

SUBJECT: PANAMA TREATIES

FOR AMBASSADOR FROM THE ACTING SECRETARY

1. AS WE COME TO THE TUESDAY CRUNCH ON THE TREATIES, WE  
URGENTLY NEED YOUR HELP AND THAT OF YOUR CHIEF OF STATE.

2. SENATE LEADERSHIP HAS DRAFTED STRONG NON-INTERVENTION  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 097549

RESERVATION TO BE ADDED TO SECOND TREATY BUT TO APPLY  
ALSO TO FIRST TREATY IN MAJOR ATTEMPT OVERCOME PANAMANIAN  
AND OTHER OPPOSITION TO DECONCINI AMENDMENT. IN SOME  
RESPECTS PROPOSED LANGUAGE IS STRONGER THAN NON-INTERVEN-  
TION LANGUAGE AGREED LAST OCTOBER AND INCORPORATED IN  
FIRST TREATY AS LEADERSHIP AMENDMENT. NEVERTHELESS, THE  
INITIAL PANAMANIAN REACTION TO NEW RESERVATION IS  
NEGATIVE. THE  
NEW LEADERSHIP DRAFT REFLECTS VIEWS OF SOME KEY TREATY  
PROponents NOT INVOLVED IN EARLIER DISCUSSIONS AND IT HAS  
BECOME IMPORTANT TO MAKE KEY POINTS IN SOMEWHAT DIFFERENT  
WAY. THUS WE NEED TO DO WHATEVER WE CAN TO GET TORRIJOS  
TO LOOK AT PROPOSED WORDING WITH AN OPEN MIND AND HOPE-

FULLY TO SEE THAT IT ACCOMPLISHES HIS PURPOSES. GIVEN  
TIMING AND NUMBER OF SENATORS INVOLVED IN DRAFTING, THERE  
IS VIRTUALLY NO FLEXIBILITY TO CHANGE TEXT OF NEW CLAUSE.

3. USING DISCRETION PLEASE TRY TO CONTACT CHIEF OF  
STATE AS SOON AS POSSIBLE TO PROVIDE PROPOSED TEXT OF  
NON-INTERVENTION CLAUSE. ON BASIS TALKING POINTS BELOW  
AND WHATEVER OTHER ARGUMENTS YOU CAN MUSTER IN LOCAL  
SITUATION, URGE HIM TO PHONE GENERAL TORRIJOS AND URGE  
HIM CONSIDER THIS TEXT CAREFULLY AND FAVORABLY, EM-  
PHASIZING SOME OF GOOD POINTS FOR PANAMA. AS LEADERSHIP  
NEEDS TO BEGIN MOVING ON THIS MONDAY MORNING, IT IS  
IMPORTANT TO HAVE EARLIEST POSITIVE PANAMANIAN REACTION  
BY SUNDAY EVENING, IF AT ALL POSSIBLE. AS YOU KNOW, THE  
FINAL VOTE ON THE TREATY IS 1800 TUESDAY AND A GREAT DEAL  
RIDES ON THIS FOR OUR COUNTRY AND FOR THE ENTIRE  
HEMISPHERE.

4. TEXT OF LEADERSHIP RESERVATION FOLLOWS. QUOTE:  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 097549

PURSUANT TO ITS ADHERENCE TO THE PRINCIPLE OF NON-INTERVENTION, ANY ACTION TAKEN BY THE UNITED STATES OF AMERICA IN THE EXERCISE OF ITS RIGHTS TO ASSURE THAT THE PANAMA CANAL SHALL REMAIN OPEN, NEUTRAL, AND SECURE, PURSUANT TO THE PROVISIONS OF THIS TREATY AND THE NEUTRALITY TREATY AND THE RESOLUTIONS OF RATIFICATION THERETO, SHALL BE ONLY FOR THE PURPOSE OF ASSURING THAT THE CANAL SHALL REMAIN OPEN, SECURE, AND ACCESSIBLE TO THE SHIPS OF ALL NATIONS, AND SHALL NOT HAVE AS ITS PURPOSE INTERFERENCE IN THE INTERNAL AFFAIRS OF THE REPUBLIC OF PANAMA, OR INFRINGEMENT OF ITS INDEPENDENCE OR ITS SOVEREIGNTY. END QUOTE.

5. FOLLOWING ARE AMONG POINTS TO STRESS ON THIS TEXT. FIRST, OPENING IS STRONG AFFIRMATION PRINCIPLE OF NON-INTERVENTION. SECOND THIS LANGUAGE SPANS BOTH TREATIES AND ALL RESERVATIONS, CONDITIONS, AND UNDERSTANDINGS. THIRD, TEXT LIMITS US ACTION IN TERMS AFFIRMATIVE PURPOSES ONLY, THAT IS ONLY FOR PURPOSE OF ASSURING THAT THE CANAL REMAINS OPEN, SECURE AND ACCESSIBLE. FOURTH, TEXT DENIES EXPLICITLY PURPOSE OF INFRINGEMENT OF SOVEREIGNTY AS WELL AS INDEPENDENCE. PART OF PANAMANIAN CONCERN SEEMS TO BE OMISSION OF REFERENCE TO TERRITORIAL INTEGRITY BUT WOULD SEEM TO US HERE THAT STRONG ARGUMENT COULD BE MADE IN LATIN CONTEXT THAT SOVEREIGNTY IS STRONGER AND MORE EMBRACING CONCEPT.

6. I RECOGNIZE DIFFICULTY GETTING TO YOUR HEAD OF STATE OVER WEEKEND ON SUCH SHORT NOTICE. HOWEVER, WE DOUBT ANY OTHER PERSONS COULD REACH TORRIJOS AS EFFECTIVELY.

YOU MAY WORK WITH OTHERS TO GET THIS ISSUE BEFORE YOUR HEAD OF STATE AS YOU DEEM APPROPRIATE.

7. AS YOU KNOW, THE PRESIDENT IS DEEPLY AND PERSONALLY INVOLVED IN THIS ALL OUT EFFORT AND WILL GREATLY  
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 097549

APPRECIATE ANY ASSISTANCE YOUR CHIEF OF STATE CAN GIVE ALONG THE FOREGOING LINES.

8. PLEASE KEEP US INFORMED NIACT IMMEDIATE.

CHRISTOPHER

UNQUOTE CHRISTOPHER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** INTERVENTION, TREATY RATIFICATION, TOSEC, CANALS, CAT-B  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 15 apr 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE097549  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** JBUSHNELL:MMS  
**Enclosure:** EXDIS DIST AS NODIS  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** P840166-1980, N780004-0451  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780453/aaaabsqa.tel  
**Line Count:** 282  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 081828ad-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN NODS  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** NODIS, EXDIS  
**Page Count:** 6  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** NODIS, EXDIS  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 08 jul 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2957312  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PANAMA TREATIES  
**TAGS:** PINT, PEPR, PORO, PGOV, PN, CS, CO, VE, US  
**To:** SAN JOSE BOGOTA MULTIPLE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/081828ad-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014